



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C-3

For the meeting of: December 13, 2016

Date: November 22, 2016
To: Board of Supervisors
From: Supervisor Estelle Fennell
Subject: Resolution to Reschedule Election of Governing Board Members of the Fortuna Elementary School District

RECOMMENDATION(S): That the Board of Supervisors approve the request and forward to the Elections Department for processing.

SOURCE OF FUNDING:

DISCUSSION: The Fortuna Elementary School District Board passed Resolution # 10-20 on November 17, 2016, requesting approval from the Board of Supervisors to consolidate the election of the Fortuna Elementary School District Board with the date for the California general election in November in even-numbered years. Currently, school board member elections are held in November in odd-numbered years. The Fortuna Elementary School District Board is requesting the Board approve future board member elections to be consolidated with the California statewide general election in order to save public funds and provide greater voter input into school board elections.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: Fortuna Elementary School District.

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS Resolution # 10-20

Prepared by _____ Kathy Hayes _____

Signature Estelle Fennell

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor Fennell
Seconded by Supervisor Bass
And unanimously carried by those members present,
The Board hereby adopts the recommended action
contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

Dated: Dec. 13, 2016
Nikki Turner, Deputy Clerk of the Board

By: for Estelle Fennell

**GOVERNING BOARD
OF THE
FORTUNA ELEMENTARY SCHOOL DISTRICT**

Resolution to Reschedule Election of Governing Board Members

Resolution No. 10-20

WHEREAS, the current date for election of members of the Governing Board of Fortuna Elementary School District ("District") is every two (2) years on the first Tuesday after the first Monday in November of odd-numbered years (e.g. November 2017) (Education Code section 5000 and Elections Code section 1302 (a)); and

WHEREAS, statewide general elections are held in California only in June and November of even-numbered years (e.g., November 2016) (Elections Code section 1001); and

WHEREAS, the District is located within Humboldt County; and

WHEREAS, generally voter turnout is greater for statewide general elections than for local elections, including school board member elections held in November of odd-numbered years; and

WHEREAS, California Senate Bill 415, an act (which may be cited to as the California Voter Participation Rights Act (herein "the Act")) to add Chapter 1.7 (commencing with Section 14050) to Division 14 of the Elections Code, was approved by the California Governor and filed with the Secretary of State on September 1, 2015; and

WHEREAS, Commencing January 1, 2018, the Act prohibits a political subdivision from holding an election other than on a statewide election date (i.e. "off-cycle") if holding an election on a non-concurrent date has previously resulted in voter turnout for a regularly scheduled election in the political subdivision being at least 25% less than the average voter turnout within the political subdivision for the previous four statewide general elections; and

WHEREAS, A political subdivision may, however, hold an off-cycle election if, by January 1, 2018, the political subdivision has adopted a plan to consolidate a future election with a statewide election not later than the November 8, 2022, statewide general election; and

WHEREAS, The Act authorizes attorney's fees to a prevailing plaintiff who has appropriately filed an action in superior court to enforce the Act's prohibition; and

WHEREAS, the District may achieve a savings in the cost of its elections, if the District's elections are consolidated with the statewide general elections; and

WHEREAS, as a result of these facts, the Board desires to change the date of future board member elections to be consolidated with the California statewide general election in order to save public funds and provide greater voter input into school board elections; and

WHEREAS, Elections Code 1302(b) establishes a procedure whereby the Governing Board may change the election date for its board members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county (Elections Code section 10404.5); and

WHEREAS, if the change in election date is approved, it is requested that the new election date be moved from the first Tuesday after the first Monday in November 2017 to the first Tuesday after the first Monday in November 2018 with board members whose terms would have expired in 2017 being extended to 2018 and board members whose terms would have expired in 2019 being extended to 2020 [refer to Appendix A].

NOW, THEREFORE, BE IT RESOLVED that the Governing Board hereby finds, determines and/or declares, as follows:

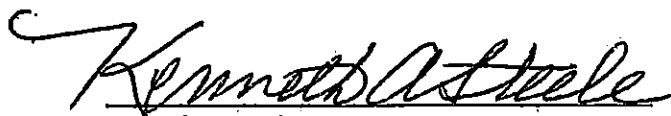
1. Each of the foregoing is true and correct.
2. The Governing Board declares its intent to adopt this resolution to consolidate the election date for members of the Board with the date for the California general election in November in even-numbered years (Elections Code section 1001) pursuant to Elections Code section 1302(b).
3. The Superintendent will forward this resolution to the Humboldt County Board of Supervisors explaining the rationale for the resolution and requesting formal approval of the change by the Board of Supervisors at a public meeting held within 60 days after submission and after the resolution has been posted in accordance with the law.
4. The Superintendent will notify the Humboldt County Elections Office that the District is prepared to pay the expense of mailing notice of approval of the change in election date by the Humboldt County Board of Supervisors as required by Elections Code 10404.5(e).

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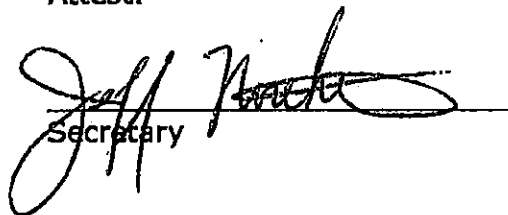
5. If the consolidation of election is approved by the Board of Supervisors, the date of that election will be moved to the first Tuesday after the first Monday in November 2018 and each subsequent board member election will be held two years thereafter in November of even years.

PASSED AND ADOPTED by the Governing Board on 11/17/2016 by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN: 0


Board President

Attest:


Secretary

52

Appendix A**Resolution to Reschedule Election of Governing Board Members****Resolution No. 10-20**

<u>Board Member</u>	<u>Current Election Year Cycle</u>	<u>Proposed Election Year Cycle</u>
Richard Barsanti	2017	2018
Janice Olkin	2017	2018
Kenneth Steele	2019	2020
Marilyn Strehl	2019	2020
Tina Taylor	2019	2020